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December 23, 2002

MARGOT SMILEY HUMPHREY
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Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Via Electronic Filing

Re: Ex Parte Presentation – In the Matter of Petition by the Colorado Public Utilities Commission, Pursuant to 47 C.F.R. § 54.207(c), for Commission Agreement in Redefining the Service Area of Delta County Tele-Comm, Inc. – CC Docket No. 96-45

Dear Ms. Dortch:

On December 23, 2002, on behalf of TDS Telecommunications Corporation (TDS Telecom) and its Colorado local exchange operating company, Delta County Tele-Comm, Inc. (Delta County), I met separately with Lisa Zaina, Matthew Brill and Daniel Gonzalez, Senior Legal Advisors, respectively, for Commissioners Adelstein, Abernathy and Martin. In each meeting, the discussion focused on the attached memorandum I provided at the meeting.

In addition to the merits of the Delta County opposition to the Colorado Commission's proposal to partition Delta County's study area into six service areas to make support available to existing wireless competitors, we discussed the decision making process. I urged that the Bureau cannot lawfully decide contested service area change issues by inaction under a rule and a delegation of

authority both of which sorely need to be updated and harmonized with the Communications Act.

In the event of any questions about this matter, please let me know.

Very truly yours,

Margot Smiley Humphrey

cc: (without enclosure)
Matthew Brill, Esq.
Daniel Gonzalez, Esq.
Lisa Zaina, Esq.